



In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the court makes a de novo determination of those portions of the proposed findings, conclusions, and recommendation to which specific objection is made. United States v. Raddatz, 447 U.S. 667, 673-75 (1980). The court need not address any nonspecific, frivolous, or conclusory objections. Battle v. United States Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987).

As characterized by the Magistrate Judge, Gamble asserts the following grounds for relief in his application: (1) the evidence presented at trial was insufficient to support his conviction; (2) his conviction was obtained as a result of prosecutorial misconduct; and (3) he received ineffective assistance of counsel. See FC&R at 2. Gamble also requests an evidentiary hearing. In the FC&R, the Magistrate Judge noted that Gamble may have failed to exhaust one or more of his claims in state court, but recommended that Gamble's application be denied on the merits. See id. The Magistrate likewise denied Gamble's request for an evidentiary hearing.

In his objections, Gamble disagrees with the Magistrate Judge's conclusions with respect to each of his three claims, but his stated grounds for disagreement merely reargue the grounds advanced in his application. The court need not address such nonspecific objections. See Battle, 834 F.2d at 421. Additionally, Gamble raised no objection to the Magistrate

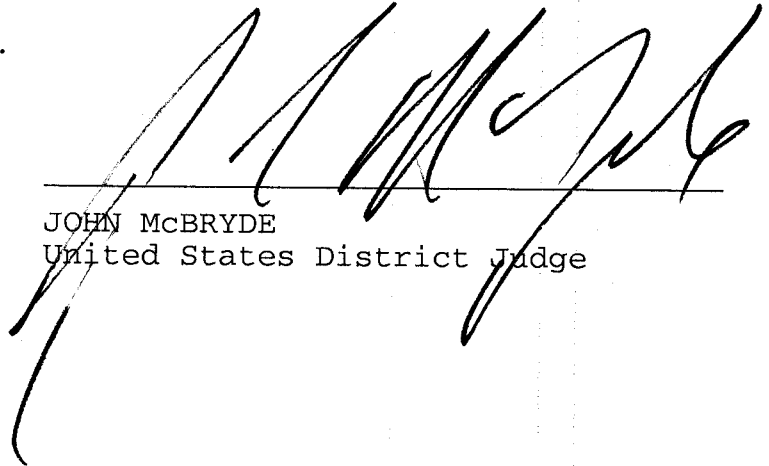
Judge's denial of his request for an evidentiary hearing.

Accordingly, his claim that a hearing is warranted is waived.

Therefore,

The court accepts the recommendation of the Magistrate Judge and ORDERS that Gamble's application for writ of habeas corpus pursuant to 28 U.S.C. § 2254 be, and is hereby, denied.

SIGNED October 2, 2009.



JOHN MCBRYDE  
United States District Judge